

# Township Government in Michigan

Townships are a product of Michigan's early history, and Michigan is one of 20 states that currently has some form of township government. Township government powers in Michigan have grown to the point that it is difficult to discern the differences between townships, cities and villages.

There are, however, significant differences that are important to the people charged with administering township affairs and deciding township policies. Townships and counties are statutory units of government, having only those powers expressly provided or fairly implied by state law. Cities and most villages are vested with home rule powers, meaning they can do almost anything not prohibited by law.

There are two types of townships in Michigan—general law and charter townships. Charter township status is a special township classification created by the Michigan Legislature in 1947 to provide additional powers and stream-lined administration for governing a growing community. A primary motivation for townships to adopt the charter form is to provide greater protection against annexation by a city. As of April 2001, 127 Michigan townships have opted to become a charter township.

The State of Michigan currently contains 1,242 townships, which vary considerably in geographical size and population. Based on 2000 figures from the U.S. Census Bureau, township population in Michigan varies from 10 to 95,648 people.

Township government is conducted by a township board consisting of either five or seven members—a clerk, supervisor, treasurer, and two or four trustees—that is determined by the desires of the township residents, whether the township has a population of over 3,000 or 5,000 registered electors, and if the township has charter status. The township board may also hire a manager, assessor, police or fire chief, superintendent and other necessary personnel to properly and efficiently operate the township.

State laws authorize townships to perform a wide variety of functions in two important categories: mandated and permissive. Mandated functions are activities that townships are required to perform. The three broadest mandated responsibilities are assessment administration, elections administration and tax collection, which are legally assigned functions of the supervisor, clerk and treasurer, respectively. State laws also specify details for performing these functions.

In addition to these broad mandates, there are other, more narrow state requirements. Procedures for the township's financial administration, such as

budgets, accounting, investments and deposits, are closely regulated by the state. Township meetings must comply with Michigan's Open Meetings Act (MCL 15.261-15.275), and township records must be stored and made available in conformance with specific laws, such as the Freedom of Information Act (MCL 15.231-15.246).

The Township Zoning Act (MCL 125.271-125.310) gives townships broad powers to enact and enforce ordinances. Zoning ordinances give townships the authority to regulate land use, while many other specific ordinances control activities that infringe on the rights of citizens.

The Michigan Constitution and state statutes also limit the amount of property tax millage that townships can levy for general township operations. General law townships are allocated at least 1 mill from the constitutionally limited 15/18 mills allocated among townships, the county, public schools and the intermediate school district. Charter townships, like cities, do not share in this allocated millage, but townships chartered by a referendum may levy up to 5 mills. Townships chartered by board resolution after November 22, 1978, must have a vote of the electors authorizing the levy of 5 mills. In either case, the 5 mill limit may be increased up to 10 mills with a vote of the electors.

Townships also utilize other sources of revenue to support services. User fees, permits, fines and special assessments on real property are the most frequently used sources.

Townships serve other governmental units by providing tax collection services. To avoid imposing an unnecessary burden on citizens to pay separate property taxes to the township, schools, special assessment districts and the county, Michigan townships provide uniform assessment of property values and collect all property taxes on behalf of the other units of government. Only a very small portion of the taxes collected are retained by the township for its own operating purposes.

Michigan townships, large and small, provide services tailored to meet the needs of their residents. Township officials represent the level of government closest and most responsive to the wishes of the people.

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## **Township Government in the United States**

Towns and township governments (both labeled "townships" by the Census Bureau) have a special significance as small community institutions. The 16,656 towns and townships in the United States serve more than 55 million

residents, according to 1997 Census of Governments' figures. This total includes more than 1 million persons in each of 10 states: Connecticut, Massachusetts, New Jersey, New York, Pennsylvania, Illinois, Indiana, Michigan, Ohio and Wisconsin. Towns and townships comprise more than 20 percent of the U.S. population.

More so than any other form of local government, towns and townships are rooted in rural and small town traditions. New England towns of the 17th century were the first real local governments on the American continent, with Virginia counties running a close second. The nation owes many of its present ideas of local self-governance to these colonial organizations, including the town meeting and the election of citizens to individual offices and boards. From New England, town government—in one form or another—spread south and west to several mid-Atlantic states and most of the Midwest.

Township governments were actually in place in most of the midwestern states before they achieved statehood. A critical step in this process was the Northwest Ordinance of 1787, enacted by Congress to establish the initial government of the territory that eventually became the states of Ohio, Indiana, Illinois, Michigan and Wisconsin. The territorial governor and legislature began to create county and township governments in 1790, with the townships largely coinciding with the six-mile square land divisions established in the federal surveys of the region.

Today, towns and townships operate in 20 states, in three regions of the nation:

New England—Maine, Vermont, New Hampshire, Massachusetts, Connecticut and Rhode Island.

Mid-Atlantic—New York, New Jersey and Pennsylvania.

Midwest—Michigan, Ohio, Indiana, Illinois, Wisconsin, Minnesota, North Dakota, South Dakota, Kansas, Nebraska and Missouri.

Because they often serve rural areas, mid-western townships tend to focus on providing roads and bridges, fire and rescue, and other basic services to scattered populations. New England town governments—and mid-Atlantic towns and townships to a lesser degree—deliver extensive and varied services similar to those provided by cities. For example, towns in Connecticut, Maine and Vermont spend more in total revenues than cities in these states. Most New England towns also fund or administer K-12 schools.

This regional variation in the role of town and township governments goes hand-in-hand with differences in what county governments do as service providers. In New England, where county governments are nonexistent or perform limited activities (usually confined to judicial functions and regional jails), towns are the primary local governments. Midwestern townships,

however, share responsibilities with relatively active county governments. Such regional distinctions are not always an accurate guide to the activities of individual governments. Many midwestern townships, for example, have become municipal service providers in recent years. They take responsibility for services such as water supply, wastewater treatment, police protection, and zoning and building code enforcement. Program expansions of this sort are usually responses to community change, particularly population growth, and occur in states where townships have flexible powers.

Source: Grassroots Governments and the People They Serve, National Association of Towns and Townships.